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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO:1043 of 2006

DATED: 30-10-2006

Between:

1. The APSRTC, rep.by its Regional Manager, Kurnool Region at Kurnool and 3 others.

.....
APPELLANTS

AND

V.Pullanna

.....RESPONDENT

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JUDGMENT:(per Hon'ble Sri Justice B.Prakash Rao)

Heard both sides, and at their request, the main writ appeal itself is taken up for disposal.

The appellant is APSRTC who seeks to assail the orders of

the learned Single Judge allowing the writ petition filed by the respondent herein who has been working as a conductor.

The writ petition is filed against the orders of punishment of stoppage of two annual increments with cumulative effect and the same is allowed mainly on the ground that having regard to the nature of punishment which amounts to a major one and it appears that the punishment was imposed without there being any enquiry, and the same is vitiated.

However, during the course of arguments, learned Standing Counsel appearing on behalf of the Corporation produced the entire file, which shows that there was an enquiry prior to passing of the final orders. Having regard to the same, we do not find any justification in filing the very writ petition itself. It is always open for the respondent-petitioner to avail all such remedies which are available under law.

With such liberty, the writ appeal is accordingly dismissed. Consequently, the writ petition stands set aside. No order as to costs.

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B.PRAKASH RAO, J

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RAMESH RANGANATHAN, J

30th October, 2006

SKM